

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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Gross Foundation, Inc.,	:	Case No. 12-cv-01496 (ILG) (RER)
Plaintiff,	:	ECF Case
v.	:	Judge I. Leo Glasser
Solomon Goldner,	:	<b>DECLARATION OF</b>
Defendant.	:	<b><u>JEFF LEUNG</u></b>
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I, JEFF LEUNG, hereby declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am associated with Arent Fox LLP, attorneys for defendant Solomon Goldner. I am authorized to practice before this Court.

2. I submit this declaration in support of Mr. Goldner's motion to dismiss the Complaint pursuant to Rules 12(b)(6) and 12(b)(5) of the Federal Rule of Civil Procedure.

3. Annexed hereto as Exhibit "A" is a true and correct copy of the Petition, Docket Entry 1, in the action *In Re Infinia at Arma, Inc.*, Case No. 03-40416 (Bankr. C.D. Ut.).

4. Annexed hereto as Exhibit "B" is a true and correct copy of the Petition, Docket Entry 1, in the action *In Re Infinia at Abilene, Inc.*, Case No. 03-40427 (Bankr. C.D. Ut.).

5. Annexed hereto as Exhibit "C" is a true and correct copy of the order providing for the joint administration of Infinia at Arma, Inc., Infinia at Abilene, Inc, and Infinia Health Care Group, Inc. with the case of Infinia at Willmar, Inc., Docket Entry 77, in the action *In Re Infinia at Willmar, Inc.*, Case No. 03-39895 (Bankr. C.D. Ut.).

6. Annexed hereto as Exhibit "D" is a true and correct copy of the Modified Third Amended Joint Plan of Liquidation, Docket Entry 847, in the action *In Re Infinia at Willmar, Inc.*, Case No. 03-39895.

7. Annexed hereto as Exhibit "E" is a true and correct copy of the Findings of Fact, Conclusions of Law and Order Confirming Modified Third Amended Joint Plan of Liquidation Filed by the Debtors, Docket Entry 993, in the action *In Re Infinia at Willmar, Inc.*, Case No. 03-39895.

8. Annexed hereto as Exhibit "F" is a true and correct copy of the Docket Sheet for the action *In Re Infinia at Arma, Inc.*, Case No. 03-40416.

9. Annexed hereto as Exhibit "G" is a true and correct copy of the Docket Sheet for the action *In Re Infinia at Abilene, Inc.*, Case No. 03-40427.

10. Annexed hereto as Exhibit "H" is a true and correct copy of the Docket Sheet for the action *In Re Infinia at Willmar, Inc.*, Case No. 03-39895.

Dated: May 29, 2012  
New York, New York

  
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JEFF LEUNG (JL-0303)